

[DISCUSSION DRAFT]

117TH CONGRESS
2^D SESSION

H. R. _____

To apply the Fair Debt Collection Practices Act to certain small business debt to the same extent as such Act applies to consumers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. LAWSON of Florida introduced the following bill; which was referred to the Committee on _____

A BILL

To apply the Fair Debt Collection Practices Act to certain small business debt to the same extent as such Act applies to consumers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business Fair
5 Debt Collection Protection Act”.

1 **SEC. 2. FAIR DEBT COLLECTION PRACTICES FOR LOANS TO**
2 **SMALL BUSINESSES.**

3 (a) IN GENERAL.—The Fair Debt Collection Prac-
4 tices Act (15 U.S.C. 1692 et seq.) is amended—

5 (1) in section 803, by adding at the end the fol-
6 lowing:

7 “(9) The term ‘commercial credit bureau’
8 means any person which, for monetary fees, dues, or
9 on a cooperative nonprofit basis, regularly engages
10 in whole or in part in the practice of assembling or
11 evaluating commercial credit information or other
12 information on businesses for the purpose of fur-
13 nishing credit reports to third parties, and which
14 uses any means or facility of interstate commerce
15 for the purpose of preparing or furnishing credit re-
16 ports.”;

17 (2) by redesignating section 819 as section 820;
18 and

19 (3) by inserting after section 818 the following:

20 **“§ 819. Application to small business debt**

21 “(a) IN GENERAL.—This Act shall apply to small
22 business debt to the same extent as this Act applies to
23 debt of consumers.

24 “(b) DEFINITIONS.—In this section:

25 “(1) SMALL BUSINESS.—The term ‘small busi-
26 ness’ has the meaning given the term ‘small business

1 concern' under section 3 of the Small Business Act
2 (15 U.S.C. 632).

3 “(2) SMALL BUSINESS DEBT.—The term ‘small
4 business debt’ means any obligation or alleged obli-
5 gation of a small business that is less than
6 \$2,500,000.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
8 for the Fair Debt Collection Practices Act is amended by
9 striking the item relating to section 819 and inserting the
10 following:

“819. Application to small business debt.
“820. Effective date.”.

11 (c) CONFORMING AMENDMENTS.—The Fair Debt
12 Collection Practices Act (15 U.S.C. 1692 et seq.) is
13 amended—

14 (1) in section 805(b), by inserting “or a com-
15 mercial credit bureau (as applicable)” after “con-
16 sumer reporting agency”;

17 (2) in section 806(3)—

18 (A) by striking “consumers who” and in-
19 serting “consumers or small businesses that”;
20 and

21 (B) by inserting “ or to a commercial cred-
22 it bureau (as applicable),” after “consumer re-
23 porting agency”; and

1 (3) in section 807(16), by inserting “or a com-
2 mercial credit bureau” after “this Act”.